

S.B. CIVIL MISC. APPEAL NO.159/2007.
Smt. Bhiki Kanwar & Ors.
Vs.
National Insurance Company Limited & Ors.

Date of Order :: 17th January 2007.

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. S.K. Sankhla, for the appellants.

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BY THE COURT:

For quantification of compensation to be awarded to the wife, child, parents and sister of the vehicular accident victim Shaitan Singh, 26 years in age, the Tribunal has taken note of the oral and documentary evidence in relation to the income of the deceased including the certificate, Ex.20 stating salary income of the deceased at Rs.3,100/- per month while working as Munim with one M/s. Balad Fabrics; and so also the statements of AW-2 Bal Gopal Rathi stating his net salary income after deductions at Rs.2,700/- per month. The Tribunal has referred to the evidence available on record and put an estimate on the income of the deceased at Rs.3,000/- per month and after deducting one-third wherefrom has taken loss of contribution for the claimants at Rs.2,000/- per month and with application of maximum side multiplier of 18, has

assessed pecuniary loss at Rs.4,32,000/-. Adding further reasonable amount towards non-pecuniary loss and funeral expenses, the Tribunal has made the award in the sum of Rs.4,67,000/- in favour of the claimants.

The award so made by the Tribunal remains just, proper and reasonable; and there appears no scope for enhancement in this appeal by the claimants.

The appeal fails and is, therefore, dismissed summarily.

(DINESH MAHESHWARI), J.

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